

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 4176.26US01

Blomquist

Confirmation No.: 2150

Application No.: 10/087,205

Examiner: Sara M. England

Filed: February 28, 2002

Group Art Unit: 2172

For: PROGRAMMABLE MEDICAL INFUSION PUMP DISPLAYING A BANNER

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, and in addition to information disclosed in any previously filed prior Information Disclosure Statements the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of the above-referenced application, and be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The listing of a reference herein is not an admission that the reference is prior art or is material to patentability. 37 CFR § 1.97(h). Applicant reserves the right to establish the patentability of any claimed invention over any of the information provided herewith, and/or prove that this information may not be prior art, and/or prove that this information may not be enabling for any aspect of the information provided herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action and in connection with the filing of a Request for Continued Examination under 37 CFR § 1.114. No certification or fee is required. 37 CFR § 1.97(b)(4). Please note that English abstracts have been provided for non-English references.

The Examiner's attention is directed to the applications or patents, if any, to which priority is claimed, as well as to any continuing applications which claim priority to the above-referenced application, and to applications, if any, that may be related by virtue of similar claimed subject matter as the above-referenced application (collectively, the "Related Case(s)"). The Related Case(s), or documents associated with the Related Case(s), are identified on the attached form PTO-1449 by serial number, publication number and/or patent number, along with a copy of the current prosecution history, downloaded from PAIR where available. The current prosecution history for the Related Case(s) is submitted as an NPL document for the convenience of the Examiner.

The prosecution history for any and all of these Related Case(s) may include information material to patentability of the above-referenced application including Office Actions, Responses, Office Communications or Notices of Allowance, all of which are readily accessible to the Examiner via PAIR/PALM. To promote consistency and full disclosure during the prosecution of the above-referenced application together with the prosecution of any of the Related Case(s) and to assist the Examiner in complying with the obligations of MPEP 2001.06(b), the Examiner is respectfully requested to review the prosecution history of each of the Related Case(s). **This request for review should be considered ongoing throughout the prosecution of the above-referenced application with an updated review via PAIR/PALM**

**of the prosecution histories of any Related Case(s) being made prior to issuance of any Notice of Allowance for the above-referenced application.** The identification of any of the Related Case(s) for purposes of this Information Disclosure Statement should not be construed as a waiver of secrecy, if applicable, as to such applications now or upon issuance of the above-referenced application as a patent.

The Examiner's attention is directed to the following NPL references that are listed on the attached form PTO-1449:

- Instruction Manual entitled "Quick Start for Speakerphone XT SVD", copyright 1996.
- Bio Tek Instruments, Inc. Products Catalog 32 pages. April 1992.
- Intel® document entitled "28F001BX-T/28F001BX-B 1M(128Kx8) CMOS Flash Memory" dated March 1991. 28 pages.
- Intel® document entitled "28F008SABMBIT (IMBITx8) Flashtile™ Memory" dated March 1992. 28 pages.
- "A Programmable Infusion Pump Controller", 30<sup>th</sup> Annual Conference on Engineering in Medicine and Biology, Nov. 5-9, 1977 in Los Angeles, CA. 11 pages.
- "IV700 Service Manual" Valleylab, Inc. Boulder, Colorado. September 1988.
- Designing the User Interface, Ben Schneiderman. Chapter 5 Direct Manipulation. October 1993. 56 pages.
- Provider® One Instruction Manual, Panorettec Inc. as submitted on May 18, 1998 in U.S. Application No. 08/782,486.
- Wilson, R. "Integrated Circuits" of Computer Design pp. 26-27 June 1, 1989.
- Zales, S et al., "Microprocessors and Microsystems" Vol. 14, No. 8. pp.543-549. October 1990.

The above-listed references were each cited by counsel previously prosecuting the respective cases in cases identified as related to the above-referenced application. The following table illustrates the origin of the citations of the respective references:

| Reference  | Originally Cited In                    | Date Considered    |
|--|--|--------------------|
| Instruction Manual entitled "Quick Start for Speakerphone XT SVD", copyright 1996.   | U.S. Patent Application No. 08/782,486 | August 7, 1998     |
| Bio Tek Instruments, Inc. Products Catalog 32 pages. April 1992.   | U.S. Patent Application No. 08/782,486 | June 15, 1998      |
| Intel® document entitled "28F001BX-T/28F001BX-B 1M(128Kx8) CMOS Flash Memory" dated March 1991. 28 pages.  | U.S. Patent Application No. 08/782,486 | June 15, 1998      |
| Intel® document entitled "28F008SABMBIT (IMBITx8) Flashtile™ Memory" dated March 1992. 28 pages.   | U.S. Patent Application No. 08/782,486 | June 15, 1998      |
| "A Programmable Infusion Pump Controller", 30 <sup>th</sup> Annual Conference on Engineering in Medicine and Biology, Nov. 5-9, 1977 in Los Angeles, CA. 11 pages. | U.S. Patent Application No. 09/324,305 | October 10, 2000   |
| "IV700 Service Manual" Valleylab, Inc. Boulder, Colorado. September 1988.  | U.S. Patent Application No. 08/782,486 | June 15, 1998      |
| Designing the User Interface, Ben Schneiderman. Chapter 5 Direct Manipulation. October 1993. 56 pages.   | U.S. Patent Application No. 09/795,266 | September 27, 2001 |
| Provider® One Instruction Manual, Panorette Inc. as submitted on May 18, 1998 in U.S. Application No. 08/782,486.  | U.S. Patent Application No. 08/782,486 | June 15, 1998      |
| Wilson, R. "Integrated Circuits" of Computer Design pp. 26-27 June 1, 1989.  | U.S. Patent Application No. 08/782,486 | June 15, 1998      |
| Zales, S et al., "Microprocessors and Microsystems" Vol. 14, No. 8. pp.543-549. October 1990.  | U.S. Patent Application No. 08/782,486 | June 15, 1998      |

Despite a diligent search, Applicants have been unable to locate copies of these references. Copies of the references were not included with the physical files that were received

from previous counsel. Also, the references were unavailable in the electronic file wrappers maintained by the USPTO and accessible to Applicants on PAIR. Further, Applicants utilized a search firm to obtain copies of the references from the physical USPTO files. However, after retrieving and searching these files, the search firm indicated that copies of the above-listed references were not present in those files, either.

The Examiner is respectfully requested to review the respective file wrapper of the relevant U.S. Patent Applications as listed above, and related applications, for copies of the above references. Applicants consider their duty of disclosure with regard to the above references met by this statement and their diligent, though unsuccessful, attempt to obtain copies of the references.

Respectfully submitted,



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*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.*